

BIG WESTERN RATE FIGHT OPENS TO-DAY

Railroads Declare Proposed Increase Means Only \$10,000,000 More Revenue.

OTHERS SAY \$100,000,000

WASHINGTON, June 21.—Representatives of Western railroads operating west of the Mississippi River and east of New Mexico and Denver will begin arguments to-morrow before the Interstate Commerce Commission for an increase in rates, estimated as high as \$100,000,000 per annum.

The railroad attorneys will be followed by attorneys representing individual shippers, particularly shippers of live stock, packing house products, coal and coke and other commodities carried in great volume.

This is one of the series of appeals for an increase in revenue made by the railroads since May, 1914. They seek in the present instance to advance rates on live stock, packing house products, hay and broom corn, cotton pick goods, coal, coke, rice and fruits and vegetables.

C. A. Wright, representing the carriers, estimated in a statement filed with the commission that the additional revenue sought would amount to about \$100,000,000.

"If the increase were \$10,000,000 a year it would make the full net operating income of these roads only \$23,254,463," he said, "and would increase the rate of return by only a small fraction of 1 per cent."

"In round figures the rate of return in 1914, if the proposed rates had been applied, would have been 4 per cent, and such a rate of return must be considered to be below anything that even the most radical could claim to be reasonable. It would not pay the interest on the bonds, assuming that 100 per cent value of the property could be bonded at the rate of interest accruing on the underlying mortgages."

Mr. Wright said the carriers must increase their revenues to meet conditions and that the most radical would be reasonable. He continued:

"In the Eastern advance rate, case there was much discussion of the methods of increasing rates and various suggestions were made by the commission as to methods other than by the increase of their rates."

"We think, however, that it has been demonstrated that some of the suggestions at least made by the commission were not only impracticable under our system of rate making and that others did not yield the additional revenue which was expected."

Mr. Wright also declared the law does not authorize the commission to fix rates but that it simply has power to fix maximum rates and if therefore the initiative in fixing rates is to be left to the carriers they must be expected to exercise discretion within reasonable limits.

"The carriers are perfectly willing to work in harmony with and submit to the regulations of the commission," he added, "but a too tight check rein which interferes with the reasonable freedom of action and the exercise of such discretion as it was intended that the management of the roads should still exercise is not productive of benefit to the public."

In the statement filed by Clifford Thorn and other representatives of public service commissions it is contended that the level of freight rates on the Western railroads is from 20 to 60 per cent higher than that on the railroads in Eastern territory and that in 1913 the net revenues of the railroads in the Western territory as a whole, above all operating expenses, amounted to \$420,000,000, being the largest, with the exception of 1910, in their history.

These railroads, it is said, are making many additions and betterments which they have charged to operating expenses and they are now seeking to get more money so they can have a surplus with which they can build additions.

"Tersely stated," said the Thorn statement, "the issues in this case center around the one question, who shall pay for additions and betterments to railroad property? The public interest demands better service, safer transportation and improved facilities; but it also demands that the railroads themselves shall build these improvements and the public will then pay a reasonable return on their values."

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STEINWAY TUNNEL TO OPEN FOR USE TO-DAY

All Day Celebration in Queens—Old Tube Planned for Horse Cars.

THE STEINWAY TUNNEL, which William Steinway, piano manufacturer, started digging so long ago that he planned to run horse cars through it, will be opened at noon to-day as part of the city's rapid transit system. Hereafter its official name is the Queensboro subway.

The people of Queens are to have an all day celebration centering in a christening party in the Jackson Avenue terminal, Long Island City, at 11 o'clock.

There will be speeches by Chairman McCall of the Public Service Commission, President of the Interborough Rapid Transit Co., and Mayor Mitchell will be absent, as he has a long standing engagement to speak for horse rule before a committee of the constitutional convention in Albany.

He missed the dedication of the Fourth avenue subway, the opening of the Saturday. That was because he had agreed to be present at the launching of the Arizona before an invitation reached him.

The first tunnel train will leave Long Island City at noon, crowded with officials and guests. The present Manhattan and the tunnel is the Forty-second street and Lexington avenue. It will join the Lexington avenue subway when that is completed. Until then passengers can get free transfers to the present subway and use them by walking a block to the Grand Central Station.

Regular traffic in the Fourth avenue subway will be resumed at 12 noon.

The running time for local trains between the Municipal Building and Coney Island will be forty-one minutes. On Sundays, holidays and on other heavy days, there will be thirty-two minute expresses.

"The new bond issue will redeem \$64,724,247 in corporate stock notes outstanding June 15, 1915, and provide for corporate stock payments of \$1,971,752.30 made between June 15 and 14, 1920 of the bond sale. None of this \$64,700,000 will add a dollar to the city's debt, but the sale will also provide for the redemption of \$4,300,000 of uncollectible taxes of the levies prior to the year 1905. This last amount of \$4,300,000 will represent the only addition to the city's debt through the pending bond sale.

"The trouble is that most people do not know very much about the city's debt statement, but most unfortunately there are a few who think they do, but whose attempts to understand nothing but confusion were confounded."

"How you could submit such a set of figures as you have in your letter I cannot understand. As a lawyer you should be familiar with the case of Jefferson M. Levy vs. George B. McClellan et al. You know how that case was decided. It is a case of which the city's debt statement is a good example. The city's debt limit was judicially determined. With the Levy case before you how can you include as debt in the city's debt statement the special revenue bonds and revenue bonds? The Court of Appeals decided that special revenue bonds and revenue bonds were not debt unless they were outstanding five years. The city has no special revenue bonds or revenue bonds that antedate the year 1914."

"You have overburdened your debt statement with items which do not belong there, aggregating \$190,000,000, and you have failed, partly through the use of figures representing contrary dates, to include as credits amounting to \$14,000,000. This makes errors in your statement of the modest proportion of \$204,000,000."

War Fugitives Wedded Here.

Miss Charlotte Belland, who fled from France during the German invasion, and Johannes C. Van Esen of London were married in City Clerk Scully's office in which the ceremony was performed yesterday. The pair arrived Sunday on the New York of the American Line.

NEW REALTY CORPORATIONS.

The following realty corporations were chartered at Albany yesterday:

Santo Domingo & Company, Manhattan; capital, \$150,000; directors, Rafael Crawford Del Castillo, Harold E. Del Castillo, Brooklyn, Julio M. Santo Domingo, New York City.

Frankford Realty Company, Manhattan; capital, \$100,000; directors, Frank Spingold, Nathan B. Spingold and Jerome Wilson, New York City.

I. F. Porter Realty Company, Manhattan; capital, \$100,000; directors, I. F. Porter, Q. Porter and James W. Smith, New York City.

Park Place Construction Company, Manhattan; capital, \$100,000; directors, W. Martin, Brooklyn, Max Wilson, Frank Wilson, New York City.

C. T. Silver Realty Corporation, Manhattan; capital, \$100,000; directors, Israel J. A. Bloch, Ferdinand Chiodi and Lewis H. Jaccard, New York City.

Williams Realty Company, Manhattan; capital, \$100,000; directors, Josephine Dunham, New York City; David D. Williams, Jamaica, L. I. and Frederick J. Singler, Brooklyn.

One Twenty Building Company, Manhattan; capital, \$100,000; directors, Joseph J. Singler, New York City.

Brandenburg Construction Company, Brooklyn; capital, \$100,000; directors, Anthony Brandenburg, Louis Brandenburg, George H. Brandenburg, New York City.

Temper Realty Company, Kingston; capital, \$100,000; directors, Rachel L. Temper, Henry De W. Temper and Rosaline T. Preston, Kingston, N. Y.

Disagreement in Dr. Flint Suit.

The jury before Supreme Court Justice Ford that heard the \$10,000 slander suit of Miss Elizabeth J. E. Smith against Dr. Austin Flint, the alienist, because said she was insane reported yesterday a disagreement. Counsel for Dr. Flint then renewed a motion made at the close of the trial to dismiss the complaint on the ground that the plaintiff had not made out a case. The court will accept briefs on the motion on Friday.

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SEES \$204,000,000 ERROR BY BENNETT

Prendergast Says Senator Made Blunder in Estimate of City's Debt.

DENIES EXCEEDING LIMIT

State Senator William M. Bennett is only \$204,000,000 off in his estimate of the city's debt, according to Comptroller Prendergast. Instead of having exceeded the debt limit by \$147,000,000, as visioned by Mr. Bennett, the city was about \$57,000,000 on the safe side on April 30, the Comptroller says.

In his recent letter to Mr. Prendergast Mr. Bennett flared that the forthcoming bond issue of \$71,000,000 should be charged against the debt incurring power. The Comptroller replied yesterday:

"The new bond issue will redeem \$64,724,247 in corporate stock notes outstanding June 15, 1915, and provide for corporate stock payments of \$1,971,752.30 made between June 15 and 14, 1920 of the bond sale. None of this \$64,700,000 will add a dollar to the city's debt, but the sale will also provide for the redemption of \$4,300,000 of uncollectible taxes of the levies prior to the year 1905. This last amount of \$4,300,000 will represent the only addition to the city's debt through the pending bond sale."

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NEW HAVEN FIRM IN ISSUE WITH CLERKS

President Elliott Says Places Will Be Filled if There Is a Strike.

NEW HAVEN, Conn., June 21.—Howard Elliott, president of the New York, New Haven and Hartford Railroad Company, issued a statement yesterday giving the company's position in its differences with the freight clerks and saying that in the event of a strike vacancies would be filled and business continued. The company will not concede from its position, he said.

"Messrs. Patrick Gilday and Clifton Reeves, Federal conciliators, appeared satisfied with the company's good faith," he said, "and every step the company has taken has been with their knowledge. No questions of wages or service are involved. There are two questions in dispute with the clerks. Claims pay an assistant foreman while acting as clerk. The company contends it has always exercised the right to designate and classify its assistants. It is temporarily abolishing the position of assistant foreman and assigning to a clerk for clerical duties, and restoring other duties to the general foreman."

"The second case is a claim of a clerk for assignment to the position of foreman. The company's only obligation was to see that proper notice was given concerning the vacancy. This was done."

"The company has observed carefully all the rules and methods in the agreement with the clerks dated January 11, 1913. Notwithstanding the officers were willing to arbitrate the question with the company's position in these two cases is justified. The company has suggested that all the facts be laid before any impartial body."

"In the face of this, the clerks are ordered to strike, the company will have to fill the places of those who leave."

"A flower garden restaurant on the roof of the Hotel Majestic, Seventy-second street and Central Park West, was opened last night also."

From the Cascade restaurant, on the nineteenth floor of the Hotel Biltmore, the night view of Manhattan, the Hudson river and the city is a picture of twinkling lights, is not equalled abroad. The Biltmore has also a popular Italian garden in the open court on the second floor.

The New Arden restaurant at the Knickerbocker is attracting large crowds and the Hotel Astor roof garden retains its popularity.

About forty members of the North Carolina Bankers Association, who have been in convention at Wrightsville Beach, N. C., during the past week, decided to visit New York and arrived on the Clyde Line S. S. Comanche yesterday and have made their headquarters at the Van derbilt.

RELATIVES have been unable to get into communication with Commodore C. E. Brigham, owner of the racing cruiser Caliph, whose sixteen-year-old son Frank died a hero trying to rescue a fourteen-year-old child, Commodore Brigham is on a cruise along the coast in his yacht. Four years ago, when he finished first in a race from Bermuda aboard his yacht, news of the death of his wife awaited him.

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